

Joint Standing Committee on State and Local Government

LD 19

Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementation of the State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a Major Substantive Rule of the Department of Administrative and Financial Services

**RESOLVE 6
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-50
	OTP-AM MIN	

LD 19 proposed to provide for legislative review of portions of Chapter 130: Implementation of State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a major substantive rule of the Department of Administrative and Financial Services.

Committee Amendment "A" (H-50), which was the majority report, proposed to require the addition (at the end of the Bidding Procedures section) of a sentence indicating that names and addresses of suppliers at point of assembly may be kept confidential and not open for public inspection if the State Purchasing Agent determines the bidder has a program of monitoring that certifies its suppliers comply with the state purchasing code of conduct.

Committee Amendment "B" (H-51), which is the minority report, proposed that the rule not be authorized.

Enacted Law Summary

Resolve 2003, chapter 6 provides for legislative review of portions of Chapter 130: Implementation of State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a major substantive rule of the Department of Administrative and Financial Services. The law requires the rules to be amended to include a sentence at the end of the bidding procedures section indicating that the names and addresses of suppliers at point of assembly may be kept confidential and not open for public inspection if the State Purchasing Agent determines the bidder has a program of monitoring that certifies its suppliers comply with the state purchasing code of conduct.

Resolve 2003, chapter 6 was finally passed as an emergency measure effective April 25, 2003.

LD 24

An Act to Create the State Government Information Clearinghouse

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	ONTP	

LD 24 proposed to establish the State Government Information Clearinghouse to assist members of the public in accessing the resources of State Government. Under the proposed bill, each state agency would designate a person to assist members of the public and would report this designation to the Commissioner of Administrative and Financial Services or the commissioner's designee. The bill also proposed that the Commissioner of Administrative and Financial Services or the commissioner's designee would maintain a central telephone number that members of the public could call for assistance in accessing the resources of State Government.

Joint Standing Committee on State and Local Government

LD 27 **Resolve, Directing the Maine Historic Preservation Commission to Develop a Database of Historic or At-risk Areas and Sites in the State** **ONTP**

<u>Sponsor(s)</u> DUNLAP MARTIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 27 proposed to require the Maine Historic Preservation Commission to develop a database of historic or at-risk areas and sites in the State.

LD 37 **An Act to Rename the Town of Westport** **PUBLIC 62
EMERGENCY**

<u>Sponsor(s)</u> HALL GROSE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-18
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LD 37 proposed to change the name of the Town of Westport to "Town of Westport Island." This bill was introduced in anticipation of a referendum to change the town name that was scheduled to be held before January 1, 2004 for approval by the residents of Westport.

Committee Amendment "A" (S-18) proposed to add an emergency preamble and emergency clause to the bill. The amendment also proposed to make this law effective date retroactive to March 24, 2003.

Enacted Law Summary

Public Law 2003, chapter 62 authorizes the Town of Westport to change its name to "Town of Westport Island." A referendum to change the name was scheduled to be held on March 29, 2003 for approval by the residents of Westport.

Public Law 2003, chapter 62 was enacted as an emergency measure effective March 24, 2003.

LD 40 **Resolve, to Extend the Reporting Deadline of the Commission to Recognize Veterans of World War II and the Korean War in the State House Hall of Flags** **RESOLVE 77
EMERGENCY**

<u>Sponsor(s)</u> GAGNON CLARK	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-266 GAGNON S-4
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Joint Standing Committee on State and Local Government

LD 40 proposed to extend the due date of the final report of the commission to recognize veterans of World War II and the Korean War in the State House Hall of Flags to November 1, 2003. The resolve also proposed to increase from 4 to 8 the number of meetings the commission may hold.

Committee Amendment "A" (S-4) proposed to add an appropriation section to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-266) proposed to strike the appropriation section and replace it with language indicating that it is the Legislature's intent that the costs of the study be funded through the Legislature's study budget.

Enacted Law Summary

Resolve 2003, chapter 77 extends the due date of the final report of the commission to recognize veterans of World War II and the Korean War in the State House Hall of Flags to November 1, 2003. It also increases from 4 to 8 the number of meetings the commission may hold.

Resolve 2003, chapter 77 was finally passed as an emergency measure effective June 17, 2003.

LD 46

An Act To Allow Free Clinics To Purchase Medications and Supplies through State Contracts

PUBLIC 79

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERRIERE-BOUC BRYANT	OTP-AM	H-73

LD 46 proposed to allow health care facilities that are federally qualified health centers, federally qualified look-alikes or rural health centers that provide primary and preventive care services to purchase through state agencies or state contracts prescription drugs and medical supplies for patients to whom they provide free care. The bill also proposed to require rulemaking by January 1, 2004 to implement the directive.

Committee Amendment "A" (H-73) proposed to place the purchasing program from the original bill in the Maine Revised Statutes, Title 5, chapter 155, which governs state purchases. The amendment also proposed to replace "health care facility licensed under this Title as a federally qualified health center, federally qualified look-alike or rural health clinic" from the bill with "nonprofit free health care clinic."

Enacted Law Summary

Public Law 2003, chapter 79 expands the state's cooperative purchasing program to include nonprofit free health clinics that provide free primary or preventative services for the purpose of allowing these clinics to purchase medications and supplies through the Bureau of General Services.

Joint Standing Committee on State and Local Government

LD 51

**An Act to Amend Certain Provisions of the Program Evaluation
and Government Accountability Laws**

PUBLIC 463

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN HALL	OTP-AM	H-361

LD 51 proposed to change the annual reporting date of the Office of Program Evaluation and Government Accountability to ensure that the Legislature has adequate time during a regular session to review the contents of the report.

Committee Amendment "A" (H-361) proposed to require all financial audits and post-audits to be performed by the Department of Audit. If the department is unable to conduct the audit within the time frame established by the joint legislative committee established to oversee program evaluation and government accountability matters, a qualified auditor must perform the financial audit or post-audit. The amendment also proposed to require the committee to develop a mission statement by January 1, 2005.

House Amendment "A" (H-558) proposed to ensure that the Director of the Office of Program Evaluation and Government Accountability is selected on the basis of ability and without consideration of political party affiliation. This amendment was not adopted.

Enacted Law Summary

Public Law 2003, chapter 463 changes the annual reporting date of the Office of Program Evaluation and Government Accountability to ensure that the Legislature has adequate time during a regular session to review the contents of the report. It requires all financial audits and post-audits to be performed by the Department of Audit. If the department is unable to conduct the audit within the time frame established by the joint legislative committee established to oversee program evaluation and government accountability matters, a qualified auditor must perform the financial audit or post-audit. It also requires the committee to develop a mission statement by January 1, 2005.

LD 66

**An Act to Repeal the Mandate to Perambulate the Municipal
Boundary Lines when there is No Boundary Dispute**

PUBLIC 7

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEIDRICH BENNETT R	OTP	

LD 66 proposed to repeal the requirement that boundary lines between municipalities be perambulated once every 5 years. The bill also proposed to require a municipality to perambulate the municipal boundaries only if there is a dispute concerning the municipal boundary line. Perambulation is not necessary to resolve the dispute if the boundary lines are well marked and a survey of the boundaries is recorded in the registry of deeds.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Public Law 2003, chapter 7 repeals the requirement that boundary lines between municipalities be perambulated once every 5 years. It requires a municipality to perambulate the municipal boundaries only if there is a dispute concerning the municipal boundary line. Perambulation is not necessary to resolve the dispute if the boundary lines are well marked and a survey of the boundaries is recorded in the registry of deeds.

LD 78 RESOLUTION, Proposing an Amendment to the Constitution of ONTP
Maine to Provide for the Direct Election of the Secretary of State

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	ONTP	

LD 78 proposed to provide for direct popular election and for filling vacancies in the office of the Secretary of State in the same manner as provided for the election of the Governor.

LD 86 An Act To Amend the Charter of the Eastport Port Authority P & S 4

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	OTP	

LD 86 proposed to further define the residency requirement for the Eastport Port Authority board of directors as being that established by state statute for legal voting at an election and certified by the registrar of voters. The bill also proposed to maintain the intent of the original charter requiring staggered terms.

Enacted Law Summary

Private and Special Law 2003, chapter 4 further defines the residency requirement for the Eastport Port Authority board as being that established by state statute for legal voting at an election and certified by the registrar of voters. It also maintains the intent of the original charter requiring staggered terms.

LD 91 Resolve, to Create the Department of Fisheries and Wildlife CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN		

LD 91 proposes to do the following:

1. Abolish the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Atlantic Salmon Commission 90 days after the adjournment of the Second Regular Session of the 121st Legislature; and
2. Require the Commissioner of Administrative and Financial Services, in consultation with the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Atlantic Salmon Commission, to

Joint Standing Committee on State and Local Government

develop and submit to the Legislature by November 1, 2003 legislation that reorganizes the 3 agencies into a new Department of Fisheries and Wildlife.

LD 103 An Act to Establish the Regional County Corrections Construction Authority CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO MAYO		

LD 103 is a concept draft pursuant to Joint Rule 208. It proposes to establish the Regional County Corrections Construction Authority, a state entity that would be authorized to issue bonds for the construction of regional county corrections facilities. It would be governed by a board of directors consisting of county, state and municipal representatives appointed by the Governor. The board would be required to establish financial incentives to counties that demonstrate a need for new correctional facilities and that also demonstrate that they have made full use of nonincarceration alternatives such as electronic monitoring and other community-based programs.

LD 110 An Act to Clarify Rights of Retainage in Public Construction Contracts ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	ONTP	

LD 110 proposed to amend the law governing public construction contracts, providing definitions of the terms "designer," "punch list" and "substantial completion." The bill also proposed to clarify rights of retainage in public construction contracts; the designer's role in resolving questions pertaining to the time when retained funds are due; and the contractor's remedy when an owner retains funds for more than 30 days after final completion of the contract.

LD 139 An Act to Authorize the Town of Medway to Sell Certain Land P & S 3

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY DUPREY G	OTP	

LD 139 proposed to allow the Town of Medway to sell certain land.

Enacted Law Summary

Private and Special Law 2003, chapter 3 allows the Town of Medway to sell certain land. It also establishes a sunset date for this law of January 1, 2013.

Joint Standing Committee on State and Local Government

LD 210

An Act to Reduce Legislative Salaries and Allowances

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON M	ONTP MAJ OTP-AM MIN	

LD 210 proposed to reduce the salaries, mileage and meal allowances for Legislators by 10%, beginning with the 122nd Legislature. Currently, salaries for Legislators are adjusted annually for inflation. This bill proposed to eliminate that adjustment.

LD 211

An Act To Modify the County Budget Procedures for Sagadahoc County

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LESSARD	ONTP	

LD 211 proposed to amend the procedures for adopting a budget for Sagadahoc County. Under current law, the county commissioners submit a budget estimate to an advisory committee that makes recommendations back to the commissioners; but the budget is adopted by a majority vote of the county commissioners. Under the proposed bill, the county commissioners would submit a budget estimate to a budget committee that would conduct at least one public hearing in each of the 3 commissioner districts. The budget committee would be responsible for final adoption of the county budget and any later amendments to it. The bill proposed to retain the same make up of the advisory committee for the budget committee: 2 elected municipal officials and one public member (from each commissioner district). The bill also proposed to provide that members currently serving on the advisory committee would serve on the budget committee until the terms for which they were elected expire.

LD 252

An Act to Require that Agency Rules be Reviewed by the Legislature

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH NASS	ONTP MAJ OTP-AM MIN	

LD 252 proposed to make all new rules authorized and adopted after January 1, 2004 major substantive rules. Under the proposed bill, all rules authorized prior to January 1, 2004 would retain their status established in statute as either routine technical or major substantive rules.

Committee Amendment "A" (H-216) was the minority report and incorporated a fiscal note. This amendment was not adopted.

Joint Standing Committee on State and Local Government

LD 267

An Act Concerning Boards of Assessment Review

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	ONTP MAJ	
	OTP-AM MIN	

LD 267 proposed to prohibit the establishment of a board of assessment review in those municipalities in which the municipal officers also serve as assessors.

Committee Amendment "A" (S-12) was the minority report. This amendment proposed to authorize the members of a board of assessment review to be either appointed by the municipal officers or elected by the legislative body. Under the proposed amendment, the legislative body would elect members of the board if the municipal officers also serve as assessors.

LD 278

An Act To Eliminate the Restriction on Municipal Investment of Trust Funds

PUBLIC 8

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP	
STANLEY		

LD 278 proposed to allow a municipality that holds funds of a nonprofit trust to invest more than 5% of the assets of that trust in a single mutual fund.

Enacted Law Summary

Public Law 2003, chapter 8 allows a municipality that holds funds of a nonprofit trust to invest more than 5% of the assets of that trust in a single mutual fund.

LD 280

An Act to Clarify the Jurisdiction of the Department of Inland Fisheries and Wildlife and the Department of Marine Resources

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER	ONTP	
STANLEY		

LD 280 proposed to clarify the jurisdictions of the Department of Inland Fisheries and Wildlife and the Department of Marine Resources.

Joint Standing Committee on State and Local Government

LD 283 **An Act To Clarify the Law on County Capital Expenditure Accounts** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN BROMLEY	ONTP	

LD 283 proposed to clarify that county commissioners may by a simple majority vote to allow the unexpended balance of any capital expenditure account to lapse.

LD 308 **An Act to Streamline Maine's Planning Process** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN	ONTP	

LD 308 proposed to dissolve the State Planning Office effective July 1, 2004 and require the joint standing committee of the Legislature having jurisdiction over state and local government matters to establish a legislative task force to reallocate State Planning Office functions to other appropriate state or local authorities for those functions not duplicated at the local level.

LD 310 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Legislature Beginning in 2005** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON M	ONTP MAJ	
DAVIS P	OTP-AM MIN	

LD 310 proposed a constitutional amendment to reduce the size of the House of Representatives from 151 members to 99 members and the size of the Senate from no more than 35 members to 33 members. Under the proposed bill, the redistricting would have been done in 2004 during the Second Regular Session of the 121st Legislature and the reduction in the size of each legislative body would have taken effect in 2005.

Committee Amendment "A" (H-223) was the minority report and incorporated a fiscal note. This amendment was not adopted.

House Amendment "A" (H-272) proposed to reduce the size of the Maine Senate to 23 Senators to reflect the proportionate reduction of the House of Representatives proposed in the original resolution. This amendment was not adopted.

Joint Standing Committee on State and Local Government

LD 317

An Act To Prohibit Expenditures To Implement Treaties Not Ratified by the United States Senate

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	ONTP MAJ OTP MIN	

LD 317 proposed to prohibit a state department or agency from expending or awarding funds to implement an international treaty that has not been ratified by the United States Senate.

LD 325

An Act To Clarify the Laws Pertaining to the Surcharge for Records Preservation for the Registry of Deeds

PUBLIC 294

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD MCLAUGHLIN	OTP-AM	S-115

LD 325 proposed to clarify that the types of restoration used for the preservation of documents and paid for by a special nonlapsing account includes preservation by creation of a digital image stored on magnetic or optical media. The bill also proposed to amend the repeal date for this section from January 1, 2005 to January 1, 2008.

Committee Amendment "A" (S-115) proposed to repeal the sunset clause for the records preservation surcharge and require the register of deeds of each county to report annually to the joint standing committee having jurisdiction over state and local government matters on the amount of surcharge funds raised and expended and the use of those funds.

Enacted Law Summary

Public Law 2003, chapter 294 clarifies that the types of restoration used for the preservation of documents and paid for by a special nonlapsing account includes preservation by creation of a digital image stored on magnetic or optical media. It repeals the sunset clause for the records preservation surcharge and requires the register of deeds of each county to report annually to the joint standing committee having jurisdiction over state and local government matters on the amount of surcharge funds raised and expended and the use of those funds.

LD 333

An Act To Clarify the Laws Regarding Reports to the State Auditor

PUBLIC 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS FINCH	OTP-AM	S-26

LD 333 proposed to direct the Department of Audit to provide a hotline for the reporting of fraud, waste and abuse of state and local government funds and property. The hotline must be in place by January 1, 2004.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (S-26) proposed to replace the resolve with a bill. The amendment proposed to require any bureau or division head of a public entity to report improper or illegal transactions to the State Auditor.

Enacted Law Summary

Public Law 2003, chapter 82 requires any bureau or division head of a public entity to report improper or illegal transactions to the state auditor. This reporting requirement already exists for department and agency heads.

LD 389

An Act to Amend the Laws Governing Municipal Citizen Initiatives and Referenda

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUSLOVIC	OTP-AM MAJ	H-354
DAGGETT	ONTP MIN	

LD 389 proposed to prohibit municipal ordinances or bylaws enacted by citizen initiative or referendum from containing retroactivity provisions that have the effect of invalidating, repealing, revoking or modifying any building permit, land use approval or other action having the effect of permitting development if that permit or approval was issued or that action was taken prior to enactment of the ordinance or bylaw.

Committee Amendment "A" (H-354), which was the majority report, proposed to replace the bill. The amendment required that if a municipality has an established approval process that includes at least one advertised public hearing, a municipal ordinance or bylaw enacted by citizen initiative or referendum may not invalidate, repeal, revoke or modify any building permit, zoning permit, land use approval, subdivision approval or site plan approval if the final municipal approval or issuance of the permit was taken prior to the enactment of the ordinance. The amendment also proposed to exempt sludge and septage ordinances from this limitation.

House Amendment "A" to Committee Amendment "A" (H-380) which was not adopted, proposed to remove the exemption of sludge and septage ordinances specified in Committee Amendment "A" from the limitation. This amendment also proposed to clarify the language in Committee Amendment "A" and specify that the applicant for municipal approval or issuance of a permit shall reimburse to the municipality the costs of advertising and mailing for the hearing or hearings conducted.

House Amendment "B" to Committee Amendment "A" (H-401) , which was not adopted, proposed to provide that the limitation on the ability of a citizen initiative or referendum to retroactively alter final municipal approval does not apply if, not more than 3 weeks after that approval, notice is given to the municipality that a citizen initiative or referendum is being initiated.

House Amendment "C" to Committee Amendment "A" (H-549) , which was not adopted, proposed to provide that the limitation on the ability of a citizen initiative or referendum to retroactively alter final municipal approval does not apply to a permit issued pursuant to a contract zone as long as the citizen petition to repeal or modify the contract zone is filed within 30 days after the contract zone is approved.

House Amendment "D" to Committee Amendment "A" (H-595) , which was not adopted, proposed to provide that the limitation on the ability of a citizen initiative or referendum to retroactively alter final municipal approval does not apply if the petition for a citizen initiative or referendum is filed with the municipality, along with the requisite number of signatures, not more than 3 weeks after final approval or the issuance of the permit.

Joint Standing Committee on State and Local Government

Senate Amendment "B" to Committee Amendment "A" (S-272) , which was not adopted, proposed to provide that the limitation on the ability of a citizen initiative or referendum to retroactively alter final municipal approval does not apply if the petition for a citizen initiative or referendum is filed with the municipality, along with the requisite number of signatures, not more than 90 days after final approval or the issuance of the permit.

Senate Amendment "C" to Committee Amendment "A" (S-282), which was not adopted, which is identical to House Amendment "D", proposed to provide that the limitation on the ability of a citizen initiative or referendum to retroactively alter final municipal approval does not apply if the petition for a citizen initiative or referendum is filed with the municipality, along with the requisite number of signatures, not more than 3 weeks after final approval or the issuance of the permit.

Senate Amendment "D" to Committee Amendment "A" (S-304) , which was not adopted, proposed to provide that the limitation on the ability of a citizen initiative or referendum to retroactively alter final municipal approval does not apply if the petition for a citizen initiative or referendum is filed with the municipality, along with the requisite number of signatures, not more than 30 days after final approval or the issuance of the permit.

Senate Amendment "E" to Committee Amendment "A" (S-313) , which was not adopted, proposed to remove the exemption of sludge and septage ordinances specified in Committee Amendment "A" from the limitation.

LD 399

An Act To Increase Civil Process Fees

PUBLIC 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE	OTP-AM	S-17

LD 399 proposed to authorize the county commissioners of each county to increase the fee collected for service of civil processes, disclosure subpoenas, complaints for divorce, attachments of personal property, writs of replevin, tax summonses and warrants, sales or use tax warrants, income tax warrants and search for persons to serve from \$1 to \$5.

Committee Amendment "A" (S-17) proposed to add that collected fees may only be increased by \$1 for any state agency or department.

Enacted Law Summary

Public Law 2003, chapter 86 authorizes the county commissioners of each county to increase the fee collected for service of civil processes, disclosure subpoenas, complaints for divorce, attachments of personal property, writs of replevin, tax summonses and warrants, sales or use tax warrants, income tax warrants and search for persons to serve from \$1 to \$5, except that the fee paid by any state agency or department may only be increased by \$1.

LD 416

An Act To Amend the County Contingent Fund

PUBLIC 241

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM MAJ ONTP MIN	H-237

Joint Standing Committee on State and Local Government

LD 416 proposed to permit counties to establish contingent accounts, not to exceed the lesser of 4% of the county budget or \$1,000,000, which may be used for emergency purposes only.

Committee Amendment "A" (H-237), which was the majority report, proposed to change the cap on the contingent fund from \$50,000 to the greater of 1.5% of the annual county budget or \$100,000. The amendment proposed to retain the exception to this cap for Sagadahoc County, which remains 4% of the annual budget.

Enacted Law Summary

Public Law 2003, chapter 241 changes the cap on the contingent fund from \$50,000 to the greater of 1.5% of the annual county budget or \$100,000. It retains the exception to this cap for Sagadahoc County, which remains 4% of the annual budget.

LD 417 **An Act To Provide Cumberland County Budget Advisory Committee with Final Budget Approval Authority** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN GILMAN	ONTP	

LD 417 proposed to give final authority for approving the Cumberland County budget to the Cumberland County Budget Advisory Committee.

LD 418 **An Act To Limit the Undesignated Surplus of Counties to 15% of the Annual Operating Budget** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	ONTP MAJ OTP MIN	

LD 418 proposed to limit the amount of surplus funds a county may retain for purposes other than reducing the amount of tax levy in a fiscal year to 15% of the annual operating budget.

LD 419 **An Act To Repeal Outdated and Unfunded Municipal and Educational Mandates** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT		

LD 419 is a concept draft pursuant to Joint Rule 208. It proposes to repeal outdated and unfunded mandates located in the Maine Revised Statutes, Title 5, Title 20-A and Title 30-A that pertain to municipalities or school systems, the cost of which are now borne by local property taxes.

Joint Standing Committee on State and Local Government

LD 456 **Resolve, Directing the Department of Administrative and Financial Services to Examine the Potential Cost Savings of Offering State Employees Early Retirement** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LERMAN	ONTP	

LD 456 proposed to direct the Commissioner of Administrative and Financial Services, with the assistance of the Maine State Retirement System, to examine the potential cost savings of offering state employees early retirement.

LD 465 **An Act To Make Transportation More Affordable for Low-income Families** **PUBLIC 37**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN	OTP-AM	H-22

LD 465 proposed to allow nonprofit organizations that contract with the Department of Human Services to help make transportation available to low-income families who need transportation for work, education or training to participate in the private purchase of surplus state vehicles. The purpose of the bill was to help participating nonprofits make vehicles more affordable for families.

Committee Amendment "A" (H-22) proposed to clarify that vehicles made available under the Maine Revised Statutes, Title 5, section 1813, subsection 6 to low-income families who need transportation for work, education or training may only be passenger vehicles or light trucks. The amendment also proposed to add a fiscal note.

Enacted Law Summary

Public Law 2003, chapter 37 allows nonprofit organizations that contract with the Department of Human Services to help make transportation available to low-income families who need transportation for work, education or training to participate in the private purchase of state surplus passenger vehicles or light trucks. The purpose of this law is to help participating nonprofits make vehicles more affordable for families.

LD 484 **An Act To Implement the Recommendations of the State House and Capitol Park Commission Regarding a Living Memorial in Capitol Park** **PUBLIC 316**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-308

LD 484 was submitted by the State House and Capitol Commission as a result of its study pursuant to Resolve 2001, chapter 110. The bill proposed to add to the duties of the commission the responsibility, subject to available funding, of providing for the development and maintenance of a living memorial garden in Capitol Park. Under the proposed bill, the commission may use public and private funds for that purpose. The bill also proposed to make a technical cross-reference correction.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-308) proposed to add an appropriations section to the bill.

Enacted Law Summary

Public Law 2003, chapter 316 is submitted by the State House and Capitol Commission as a result of its study pursuant to Resolve 2001, chapter 110. It adds to the duties of the commission the responsibility, subject to available funding, of providing for the development and maintenance of a living memorial garden in Capitol Park. The commission may use public and private funds for that purpose.

LD 489 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Certain Real Estate Lands of the Long Creek Youth Development Center in South Portland** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN	ONTP MAJ OTP-AM MIN	

LD 489 proposed to require the Commissioner of Administrative and Financial Services to sell a portion of the Long Creek Youth Development Center in South Portland.

Committee Amendment "A" (H-289), which was not adopted, was the minority report of the committee and proposed to incorporate a fiscal note.

LD 562 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Elect 2 Senators from Each County** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	ONTP MAJ OTP-AM MIN	

LD 562 proposed a constitutional amendment to reduce the size of the Senate from no more than 35 members to 32 members, 2 Senators from each county. Under the proposed bill, the redrawing of district lines would have occurred during the regularly scheduled redistricting following the decennial census. The bill proposed that the redistricting be completed in 2004.

Committee Amendment "A" (H-225), which was the minority report of the committee, proposed to incorporate a fiscal note. This amendment was not adopted.

LD 568 **Resolve, To Study the Impact of a Statewide System for the Electronic Filing of Deeds** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN YOUNGBLOOD	ONTP	

Joint Standing Committee on State and Local Government

LD 568, which was a concept draft pursuant to Joint Rule 208, proposed to establish a study to conduct and evaluate the short-term and long-term impact of a statewide system for electronic filing of deeds, considering factors such as immediate costs to the State and to communities, and the long-term costs or savings.

LD 606 An Act To Improve State Accounting Procedures

**PUBLIC 83
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	OTP-AM MAJ	S-27
FISCHER	ONTP MIN	

LD 606 proposed to require the Department of Audit to:

1. Beginning July 31, 2003, report annually to the Legislature the amount of cash on hand at the end of each fiscal year for each department of State Government;
2. Account for federal grants at the end of each fiscal year to the Legislature and explain the reimbursement of state officers for any items paid out of the General Fund;
3. Revise and update on a regular basis the accounting manual maintained by the Department of Audit;
4. Provide training to appropriate personnel across department lines to establish systemwide uniform financial practices;
5. Require all audits performed by the Department of Audit over \$1,000,000 to be performed by a certified public accountant; and
6. Establish an audit practice review board of volunteers from the private sector to give advice to the State on best practices and accounting updates.

Committee Amendment "A" (S-27), which was the majority report of the committee, proposed to replace the original bill. The amendment proposed to require the Commissioner of Administrative and Financial Services and the State Controller to develop a financial management and accounting practices manual for state agencies, develop and implement a training program for state agencies on uniform financial management and accounting practices and report to the Joint Standing Committee on State and Local Government by January 1, 2004 on the progress of these initiatives.

Enacted Law Summary

Public Law 2003, chapter 83 requires the Commissioner of Department of Administrative and Financial Services and the State Controller to develop a financial management and accounting practices manual for state agencies, develop and implement a training program for state agencies on uniform financial management and accounting practices and report to the state and local government committee by January 1, 2004 on the progress of these initiatives.

Public Law 2003, chapter 83 was enacted as an emergency measure effective April 25, 2003.

Joint Standing Committee on State and Local Government

LD 608

**An Act to Support Domestic Businesses in Publicly Funded
Construction Projects**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO WALCOTT		

LD 608 proposes to allow the Department of Administrative and Financial Services in awarding public improvement construction project contracts to give preference to domestic suppliers whose bids are within 15% of a bid of a foreign supplier. This preference applies only to the extent permitted under federal law and international treaties signed by the United States.

LD 631

**An Act Concerning the Status of the Maine County Commissioners'
Association and the Maine Sheriffs' Association as County Advisory
Organizations**

PUBLIC 75

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN PENDLETON	OTP-AM	H-95

LD 631 proposed to allow counties to expend funds in order to obtain the services of the Maine County Commissioners' Association and the Maine Sheriffs' Association as nonprofit advisory organizations and designates these associations as instrumentalities of their member counties. The bill proposed that, upon dissolution, the assets of these organizations would be delivered to the Secretary of State to be held in custody for the counties of the State. This is the same recognition that Maine law gives the Maine Municipal Association and the Maine School Management Association in the Maine Revised Statutes, Title 30-A, sections 5722 and 5724.

Committee Amendment "A" (H-95) proposed to replace the Secretary of State with the Treasurer of State as the entity designated to hold the assets upon dissolution of the Maine County Commissioners' Association and the Maine Sheriffs' Association. The amendment also proposed to replace the Secretary of State with the Treasurer of State as the entity designated to hold the assets for the Maine Municipal Association, the Maine School Management Association and the Maine School Boards Association upon their dissolution in the Maine Revised Statutes, Title 30-A, sections 5722 and 5724.

Enacted Law Summary

Public Law 2003, chapter 75 allows counties to expend funds in order to obtain the services of the Maine County Commissioners' Association and the Maine Sheriffs' Association as nonprofit advisory organizations and designates these associations as instrumentalities of their member counties. Upon dissolution, the assets of these organizations, as well as the Maine Municipal Association and the Maine School Management Association, would be delivered to the Treasurer of State to be held in custody for the counties of the State. This is the same recognition that Maine law gives the Maine Municipal Association and the Maine School Management Association in the Maine Revised Statutes, Title 30-A, sections 5722 and 5724.

Joint Standing Committee on State and Local Government

LD 683 **An Act To Require the State To Assume All Costs for Corrections
Currently Paid by Local Taxpayers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHETTE STANLEY	ONTP	

LD 683, which was a concept draft pursuant to Joint Rule 208, proposed to require the State to assume all costs for corrections that are currently borne by the counties. Under this proposed bill, the State would bear the costs of county jail operations and inmates, as well as the costs associated with state detainees who are housed in county jails.

LD 685 **An Act To Require Timely Posting of Roll Call Votes on the
Internet** **DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN		

LD 685 proposed to require a roll call vote that is taken in the Senate or House of Representatives to be recorded electronically and the results posted on a publicly accessible site on the Internet.

LD 700 **Resolve, To Create the Task Force To Study County Government
Efficiency** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW MAYO	ONTP	

LD 700 proposed to establish the Task Force to Study County Government Efficiency.

LD 719 **An Act To Protect and Encourage Firearms Shooting Ranges
Throughout the State** **DIED IN
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP MAJ	
BRYANT	ONTP MIN	

LD 719 proposed to expand the protection offered to grandfathered sport shooting ranges in existing law to all sport shooting ranges that have been constructed since that law was enacted and to all ranges that are constructed in the future.

Joint Standing Committee on State and Local Government

LD 742 **An Act To Establish a System of Self-governance for Unorganized Areas** **ONTP**

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 742 proposed to establish a new chapter in the Maine Revised Statutes, Title 30-A that provides a method for unorganized areas to develop a system of self-governance. The bill proposed to delineate the requirements that must be met for a town to be created in the unorganized areas. The bill also proposed to outline the powers, duties and responsibilities of the new town's government. Finally, the bill proposed to require the Department of Administrative Services, Maine Revenue Services to develop a fair system of reimbursement for tree growth to towns established under this chapter.

LD 774 **An Act To Require the Washington County Legislative Delegation to Review the Final Washington County Budget Estimates** **ONTP**

<u>Sponsor(s)</u> GOODWIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 774 proposed to change the membership of the Washington County Budget Advisory Committee by adding a public member. The bill also proposed to require the Washington County legislative delegation to review the final budget estimates submitted to the budget advisory committee by the Washington County commissioners.

LD 793 **An Act To Revise the Boundary between the Town of Harrison and the Town of Bridgton** **P & S 5
EMERGENCY**

<u>Sponsor(s)</u> BENNETT R SYKES		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-16
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LD 793 proposed to reestablish the boundary line between the Town of Bridgton and the Town of Harrison along Long Lake.

Committee Amendment "A" (S-16) proposed to add an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Private and Special Law 2003, chapter 5 reestablishes the boundary line between the Town of Bridgton and the Town of Harrison along Long Lake.

Private and Special Law 2003, chapter 5 was enacted as an emergency measure effective April 17, 2003.

Joint Standing Committee on State and Local Government

LD 812 **An Act To Provide Equity in Residential Requirements for Public Employees** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCNEIL	ONTP MAJ OTP MIN	

LD 812 proposed to include department and division heads in the definition of employee for the purposes of municipal employment residency requirements.

LD 830 **An Act To Include Androscoggin County in the Law Governing the Use of County Surplus Funds** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN ROTUNDO	OTP	

LD 830 proposed to remove the exception for Androscoggin County in the law on use of county surplus funds.

LD 841 **An Act To Increase the Number of County Commissioners in Cumberland County** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN BROMLEY	ONTP	

LD 841 proposed to increase the number of Cumberland County commissioners from 3 to 7 with staggered 3-year terms.

LD 898 **An Act To Amend the Laws Governing Sagadahoc County Commissioner Elections and Budget Hearings** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO PERCY	ONTP	

LD 898 proposed to increase the number of county commissioners in Sagadahoc County from 3 to 5 and require that 2 of the 5 commissioners be elected at large with staggered terms. The bill also proposed to require that public hearings on the Sagadahoc County budget be held in each of the 3 commissioner districts.

Joint Standing Committee on State and Local Government

LD 909

Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review for the Regulation of Spoken Language Interpreters

RESOLVE 49

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS LAVERRIERE-BOUC	OTP-AM	S-119

LD 909 proposed to establish the Committee to Investigate the Feasibility of and Need for Regulation of Spoken Language Interpreters.

Committee Amendment "A" (S-119) proposed to replace the resolve. The amendment proposed to require the Department of Professional and Financial Regulation to conduct a sunrise review in the form of an independent assessment for the regulation of spoken language interpreters. The amendment also proposed to require the department to report its findings to the Joint Standing Committee on Business, Research and Economic Development by January 15, 2004.

Enacted Law Summary

Resolve 2003, chapter 49 requires the Department of Professional and Financial Regulation to conduct a sunrise review in the form of an independent assessment for the regulation of spoken language interpreters. It also requires the department to report its findings to the Joint Standing Committee on Business, Research and Economic Development by January 15, 2004.

LD 942

An Act To Create Guidelines To Promote Good Science in Rulemaking

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WOODCOCK		

LD 942 proposes to require state agencies to establish standards of objectivity, utility and integrity for information used and relied upon in conducting rule-making proceedings under the Maine Administrative Procedure Act.

LD 962

An Act to Consolidate the Advocacies of the Various State Agencies into an Executive Department and Establish the Office of Inspector General **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER DAGGETT		

LD 962, which is a concept draft pursuant to Joint Rule 208, proposes to consolidate the advocacies of the various state agencies into an executive department. The executive department would assume any public advocacy responsibilities currently assigned to other agencies of State Government. The bill also proposes to establish the

Joint Standing Committee on State and Local Government

Office of Inspector General to investigate governmental abuse of funds, written policy and procedures and violation of the law within the various state departments. The executive advocacy department would oversee the operations and personnel of the Office of the Inspector General.

LD 965 **Resolve, to Create a Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J		

LD 965 proposes to create the Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families. The task force's membership would consist of the Speaker of the House, the President of the Senate and the House and Senate majority and minority leaders. The resolve proposes to require the task force to report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by November 3, 2003.

LD 972 **An Act To Provide a Preference for State Residents in the Awarding of Government Contracts** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	ONTP MAJ OTP MIN	

LD 972 proposed to provide that certain governmental entities, in the awarding of contracts for services, give preference to workers and to bidders for such contracts who are residents of this State, provided the bids submitted by such resident bidders are equally favorable with bids submitted by nonresident bidders. The bill also proposed to provide that these entities, when they award a contract for services that is not subject to competitive bidding shall consider awarding that contract to a person who is a resident of this State and shall award that contract to such a person if the contract with such a person is equally favorable with a contract with persons not located in the State.

LD 984 **An Act To Amend the Laws Governing Registers of Deeds** **PUBLIC 55**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD	OTP	

LD 984 proposed to set uniform standards for registers of deeds with regard to the documents submitted to registries for recording. The bill also proposed to clarify the recording methods that may be used by registries.

Enacted Law Summary

Public Law 2003, chapter 55 sets uniform standards for registers of deeds with regard to the documents submitted to registries for recording. Specifically, it:

Joint Standing Committee on State and Local Government

1. Changes the requirement that public records can only be kept on paper;
2. Allows registries to make computer notes to the index when necessary;
3. Ensures that computer image copies have the same legal effect as paper copies;
4. Allows registries to charge \$2.00 to create an additional page to provide room for including recording information;
5. Expands language that requires recording only on linen cloth to include digital imaging;
6. Increases the fee for each name indexed after the fourth from 25 cents to \$1, which is more in-line with the costs of indexing; and
7. Allows registers to charge an \$8 fee to compensate them for the time required when marginal notations are required in multiple records.

LD 1012

**RESOLUTION, Proposing Amendments to the Constitution of
Maine To Require the Appointment of County Sheriffs, Judges and
Registers of Probate**

ONTP

Sponsor(s)
BULL

Committee Report
ONTP

Amendments Adopted

LD 1012 proposed to allow for the appointment of judges of probate, registers of probate and sheriffs by the county commissioners of their respective counties.

Joint Standing Committee on State and Local Government

LD 1047

**An Act To Ensure Communication about Public Complaints against
State Employees**

PUBLIC 230

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERRIERE-BOUC	OTP-AM	H-279

LD 1047 proposed to establish a procedure whereby a member of the public will be kept informed about a complaint made against a state employee. Under the proposed bill, the Department of Administrative and Financial Services, Bureau of Human Resources would be the liaison between the public and the agency in which the state employee works.

Committee Amendment "A" (H-279) proposed to replace the bill. Whereas the proposed bill would establish a liaison for public complaints for all state employees, the amendment proposed to ensure that each state agency establishes a policy that makes certain that complaints by the public against state employees are addressed by that agency. The amendment proposed to prohibit the release of confidential information that may not otherwise be released to the public.

Enacted Law Summary

Public Law 2003, chapter 230 requires each state agency to establish a policy to ensure that complaints by the public against state employees are addressed by that agency. It prohibits the release of confidential information that may not otherwise be released to the public.

LD 1063

An Act Concerning Municipal Firearms Discharge Ordinances

PUBLIC 332

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP-AM MAJ	H-321
BRYANT	ONTP MIN	

LD 1063 proposed to require a municipality to consult with the Department of Inland Fisheries and Wildlife throughout the process of consideration of the adoption or amendment of a firearm discharge ordinance. The bill proposed to require that the area in which the discharge of firearms is prohibited be described in the ordinance using clearly defined physical boundaries. The bill also proposed to require that a municipality that adopts a firearm discharge ordinance prepare a wildlife management plan to prevent overpopulation of game animals in the area in which the discharge of firearms is prohibited by the firearm discharge ordinance.

Committee Amendment "A" (H-321) proposed to clarify the role of the Department of Inland Fisheries and Wildlife in a municipality's adoption of a firearm discharge ordinance. The amendment also proposed to remove the requirement that a municipality prepare a wildlife management plan.

Enacted Law Summary

Public Law 2003, chapter 332 requires a municipality to consult with the Department of Inland Fisheries and Wildlife during the process of consideration of the adoption or amendment of a firearm discharge ordinance. It also requires that the area in which the discharge of firearms is prohibited must be described in the ordinance using clearly defined physical boundaries as points of reference.

Joint Standing Committee on State and Local Government

LD 1074 **An Act To Prohibit Disbursement of Funds by the State, Municipalities and Counties to Certain Nonprofits and Require the Secretary of State To Develop a System of Registration** **ONTP**

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1074 proposed to prohibit the State, municipalities and counties from disbursing funds to certain nonprofit corporations. The bill also proposed to require the Secretary of State to develop a system of classification and registration for all nonprofit corporations in the State and a method to facilitate reporting of information regarding the collections of funds.

LD 1076 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Land to Baron and Janet Wormser** **RESOLVE 16**

<u>Sponsor(s)</u> COWGER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-204
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LD 1076 proposed to authorize the Commissioner of Administrative and Financial Services to sell the State's interest in a parcel of land located in Hallowell to Baron C. Wormser and Janet G. Wormser.

Committee Amendment "A" (H-204) proposed to require Baron and Janet Wormser to pay for the appraisal on the parcel of land proposed for sale by the State to the Wormsers.

Enacted Law Summary

Resolve 2003, chapter 16 authorizes the Commissioner of Administrative and Financial Services to sell the State's interest in a parcel of land located in Hallowell to Baron C. Wormser and Janet G. Wormser. It also requires the Wormsers to pay for the appraisal on the parcel of land.

LD 1118 **An Act To Study the Consolidation and Regionalization of Programs at All Levels of Government** **ONTP**

<u>Sponsor(s)</u> BULL EDMONDS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1118, which was a concept draft pursuant to Joint Rule 208, proposed a study to assess all levels of government within the State to determine the feasibility and advantages of consolidating and streamlining many government functions. The study would have focused on providing greater efficiency and offering more services to the people in the State. The study would have examined the incentives to reorganization and consolidation and would have also considered any necessary changes to the laws, rules and regulations that may facilitate efforts to reorganize or consolidate.

Joint Standing Committee on State and Local Government

LD 1123 **RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Change the Duration of the Legislative Session** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPREY B	ONTP MAJ OTP-AM MIN	

LD 1123 proposed to amend the Constitution of Maine to eliminate the requirement that the Legislature meet every year. The resolution proposed that the Legislature meet for a maximum of 2 months once every 2 years. As proposed, this resolution would not affect the ability of the Legislature to call itself in at other times if needed.

Committee Amendment "A" (H-226), which was the minority report of the committee, proposed to incorporate a fiscal note. This amendment was not adopted.

LD 1126 **An Act to Ensure Consistency in the Records and Documents of
State and Local Government** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEIDRICH BLAIS	ONTP	

LD 1126 proposed to designate English as the language of public records and documents, unless specifically exempted. The bill proposed to ensure consistency in the records and documents of state and local government.

LD 1128 **An Act To Amend the Town Line between Yarmouth and
Cumberland** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY TURNER	ONTP	

LD 1128 proposed to separate a 33-acre parcel of property from the Town of Yarmouth and annex it to the Town of Cumberland.

LD 1140 **An Act To Provide for the Appointment of County Treasurers,
Registers of Deeds and District Attorneys** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	ONTP	

LD 1140 proposed to abolish the positions of elected county treasurer, elected register of deeds and elected district attorney and require that county commissioners appoint a county treasurer, a register of deeds or district attorney at the completion of the elected treasurer's, elected register of deeds's or the elected district attorney's term of office.

Joint Standing Committee on State and Local Government

LD 1189

An Act To Establish the Commission for the Blind

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILMAN	ONTP MAJ	
MCLAUGHLIN	OTP-AM MIN	

LD 1189 proposed to establish the Commission for the Blind to report directly to the Governor. Under the proposed bill, the commission would be the successor to the Department of Labor, Bureau of Rehabilitation Services, Division for the Blind and Visually Impaired, which is repealed in this bill. This commission would have assisted the Governor in the formulation, coordination and management of policy regarding services and issues having an impact on those who are blind or visually impaired or are family members of persons who are blind or visually impaired and would have worked to ensure coordination of public and private agencies dealing with issues of blindness and visual impairment.

Committee Amendment "A" (S-63), which was the minority report, proposed to add an appropriation section to the bill. This amendment was not adopted.

LD 1199

An Act To Establish the Lincoln and Sagadahoc Multicounty Jail Authority

**PUBLIC 228
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO	OTP-AM	S-103
WATSON		

LD 1199 proposed to establish the Lincoln and Sagadahoc Multicounty Jail Authority.

Committee Amendment "A" (S-103) proposed to make technical and formatting changes to the bill.

Enacted Law Summary

Public Law 2003, chapter 228 establishes the Lincoln and Sagadahoc Multicounty Jail Authority.

Public Law 2003, chapter 228 was enacted as an emergency measure effective May 21, 2003.

LD 1206

An Act To Encourage Responsible Employment Practices

PUBLIC 501

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL	OTP-AM MAJ	H-353
EDMONDS	ONTP MIN	

LD 1206 proposed to require the State Purchasing Agent to adopt rules to establish a fair basis for bid price comparison among businesses that provide health and retirement benefits and those that do not provide these benefits. It proposed to require that, before a state agency or department may contract personal services out to a

Joint Standing Committee on State and Local Government

private contractor, it must establish an equivalent basis for cost comparison for businesses that do not provide health insurance or retirement benefits. Under the proposed bill, personal services contracting would not be permitted unless a private contractor provides the best value.

Committee Amendment "A" (H-353), which is the majority report, proposed to limit the applicability of the rules to establish a fair basis for bid and cost comparison to personal services.

Enacted Law Summary

Public Law 2003, chapter 501 requires the State Purchasing Agent to adopt rules to establish a fair basis for bid price comparison among businesses that provide health and retirement benefits and those that do not provide these benefits. The applicability of the rules is limited to personal services. It also requires that, before a state agency or department may contract personal services out to a private contractor, it must establish an equivalent basis for cost comparison for businesses that do not provide health insurance or retirement benefits. Personal services contracting is not permitted unless a private contractor provides the best value.

LD 1210 Resolve, To Establish the Intergovernmental Advisory Commission CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWEN DAMON		

LD 1210 proposes to establish the Intergovernmental Advisory Commission to study ways to reduce duplication among all 3 levels of government in the State as well as within each level of government; promote communications, cooperation and efficient delivery of services; and develop a mechanism to establish a permanent statewide intergovernmental advisory commission.

LD 1216 An Act To Amend the Laws Regarding County Government ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW MAYO	ONTP	

LD 1216 proposed to require all counties that have not adopted a county charter to adopt a charter by January 1, 2006. The bill also proposed to set residency requirements for the register of probate and the register of deeds and minimum qualifications for the county treasurer. The bill also proposed to require that district attorneys be appointed.

Joint Standing Committee on State and Local Government

LD 1226

An Act To Clarify the Division of the Positions of Town Assessor and Selectman

PUBLIC 234

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT	OTP-AM	H-280

LD 1226 proposed to clarify that a selectman who resigns the position of local tax assessor may continue to serve as a selectman and concurrently as a member of the State Legislature.

Committee Amendment "A" (H-280) proposed to clarify that a person who serves as both a selectman and a tax assessor may resign the position of assessor without resigning the office of selectman. It also clarifies that if a person who is serving in the State Legislature or in another office incompatible with the position of an assessor resigns the position of assessor before performing any duties as an assessor, that person may not be deemed to have vacated the position of State legislator or other office that is incompatible with the office of assessor.

Enacted Law Summary

Public Law 2003, chapter 234 clarifies that a person who serves as both a selectman and a tax assessor may resign the position of assessor without resigning the office of selectman. It also clarifies that if a person who is serving in the State Legislature or in another office incompatible with the position of an assessor resigns the position of assessor before performing any duties as an assessor, that person may not be deemed to have vacated the position of State legislator or other office that is incompatible with the office of assessor.

LD 1285

An Act To Promote and Protect Private Enterprise

PUBLIC 238

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL TARDY	OTP-AM	S-100

LD 1285 proposed to require that, before a state agency may provide goods or services to the public, the matter must be reviewed and approved by the Advisory Committee on Fair Competition with Private Enterprise.

Committee Amendment "A" (S-100) proposed to clarify that the prohibition on sales by a state agency does not apply if the sale of the goods or services by the state agency is specifically authorized by law. The amendment also proposed to permit state agencies to sell goods or services immediately in the case of an emergency. The amendment also proposed to clarify that this legislation applies only when a state agency sells new or additional goods or services as of January 15, 2004.

Enacted Law Summary

Public Law 2003, chapter 238 requires that, before a state agency may provide goods or services to the public, it must comply with certain provisions of law including the review and approval by the Advisory Committee on Fair Competition with Private Enterprise of providing these goods or services. The restriction on sales by a state agency does not apply if the sale of the goods or services is specifically authorized by law. It also permits state agencies to

Joint Standing Committee on State and Local Government

sell goods or services immediately in the case of an emergency. This provision in law only applies when a state agency sells new or additional goods or services as of January 15, 2004.

LD 1289

An Act Concerning County Treasurers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO BARSTOW	ONTP	

LD 1289 proposed to allow the county commissioners to decide to replace the elected county treasurer position with an appointed county treasurer. Under current law, the position of elected county treasurer may be abolished with the approval of the voters and replaced with an appointed county treasurer.

LD 1290

An Act To Provide Requirements for Towns To Deorganize

PUBLIC 297

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND	OTP-AM	S-121

LD 1290 proposed to provide a set of requirements that a municipality must meet in order to be eligible to deorganize. The bill also proposed to expand voter eligibility on final approval of the deorganization to all registered voters of the county in which the municipality is located.

Committee Amendment "A" (S-121) proposed to clarify that all debt incurred by a municipality prior to deorganization will be the responsibility of the residents of the community and not the entire population of the unorganized territory. The amendment proposed to direct the deorganizing community to conduct a fiscal impact analysis. The amendment also proposed to authorize the county commissioners in the county where the municipality considering deorganization is located to hold an advisory referendum on the deorganization. Finally, the amendment proposed to require a municipality that has rejected the deorganization to wait 3 years before reinitiating the process.

Enacted Law Summary

Public Law 2003, chapter 297 clarifies that all debt incurred by a municipality prior to deorganization is the responsibility of the residents of the community and not the entire population of the unorganized territory. It directs the deorganizing community to conduct a fiscal impact analysis. It also authorizes the county commissioners in the county where the municipality considering deorganization is located to hold an advisory referendum on the deorganization. Finally, it requires a municipality that has rejected the deorganization to wait 3 years before reinitiating the process.

Joint Standing Committee on State and Local Government

LD 1304 **An Act To Provide a Municipal Process for an Initiative To Impose a Property Tax Cap** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE	ONTP MAJ OTP-AM MIN	

LD 1304 proposed to provide a process for a municipal initiative by voters of a municipality to impose a limit on property taxes in that municipality. The proposed bill would not have applied to a municipality that has a provision for an initiative by voters in that municipality in the laws of the municipality.

Committee Amendment "A" (H-352), which was not adopted, proposed to add a mandate preamble.

LD 1327 **Resolve, To Establish a Commission To Determine Why Young People Are Leaving Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	ONTP	

LD 1327 proposed to establish the Commission to Determine Why Young People Are Leaving Maine.

LD 1328 **An Act To Amend the Laws Regarding County Government** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	ONTP	

LD 1328 proposed to define the term "county official" for the Maine Revised Statutes, Title 30-A, Part 1. The bill proposed to repeal certain provisions of law relating to the county budget process and the provision of law that gives county commissioners the power to borrow in anticipation of taxes. The bill also proposed to correct cross-references to these repealed provisions of law. Finally, the bill proposed to permit a county to recover for expenditures for the removal of certain discharges from the person responsible for those discharges.

LD 1332 **An Act To Recognize the Maine Rural Development Council** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON		

LD 1332 proposes to establish the Maine Rural Development Council in statute and designate it as the entity authorized to participate in the National Rural Development Partnership.

Joint Standing Committee on State and Local Government

LD 1357

An Act To Encourage Economic Development in Piscataquis County

**PUBLIC 179
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P ANNIS	OTP-AM	S-59

LD 1357 proposed to authorize the county commissioners of Piscataquis County to raise, appropriate, borrow and spend money for the purposes of economic development in Piscataquis County.

Committee Amendment "A" (S-59) proposed to clarify that the definition of what activities constitute "county economic development" in Piscataquis County includes activities in unorganized territories. The amendment also proposed to clarify that, in order for the election results to be valid, the total number of votes cast must be equal to at least 50% of the total number of votes cast in Piscataquis County in the most recent gubernatorial election.

Enacted Law Summary

Public Law 2003, chapter 179 authorizes the county commissioners of Piscataquis County to raise, appropriate, borrow and spend money for the purposes of economic development in Piscataquis County.

Public Law 2003, chapter 179 was enacted as an emergency measure effective May 6, 2003.

LD 1377

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Release the State's Interests in an Easement Benefiting the Maine Criminal Justice Academy in Vassalboro

RESOLVE 31

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN ROTUNDO	OTP-AM	H-252

LD 1377 proposed to authorize the Commissioner of Administrative and Financial Services to release an abandoned well and water line easement that formerly served the former Oak Grove School, currently owned by the State and occupied by the Maine Criminal Justice Academy.

Committee Amendment "A" (H-252) proposed to require the Commissioner of Administrative and Financial Services to conduct at the State's expense an appraisal of the Realewood Estates North subdivision with the easement and without the easement on the property. The amendment also proposed to require the commissioner to determine, based on the value of the property without the easement, the terms under which the State may release the easement.

Enacted Law Summary

Resolve 2003, chapter 31 authorizes the Commissioner of Administrative and Financial Services to release an abandoned well and water line easement that formerly served the former Oak Grove School, currently owned by the State and occupied by the Maine Criminal Justice Academy. It requires the Commissioner of Administrative and

Joint Standing Committee on State and Local Government

Financial Services to conduct at the State's expense an appraisal of the Realewood Estates North subdivision with the easement and without the easement on the property. It also requires the commissioner to determine, based on the value of the property without the easement, the terms under which the State may release the easement.

LD 1393 **An Act To Provide for Meaningful Public Input in the Maine Administrative Procedure Act** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN NASS		

LD 1393 proposes to amend the rule-making process to clarify the intent of the Legislature to require agencies to consider the full impact of the rules, both substantively and financially, on the State, agencies, providers of services through state contracts and consumers of those services. This bill also proposes to require a detailed analysis prior to consideration and adoption of any proposed rule.

LD 1412 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Increase the Ground Lease Term at the Long Creek Youth Development Center from 50 to 90 Years** **RESOLVE 53**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN BROMLEY	OTP-AM MAJ ONTP MIN	H-387

LD 1412 proposed to extend the ground lease term from 50 to 90 years for property leased by the State at the Long Creek Youth Development Center in the City of South Portland.

Committee Amendment "A" (H-387), which was the majority report, proposed to require the lessee of the leased property at the Long Creek Youth Development Center to take responsibility for the administration building. The proposed amendment requires the lessee to make every effort to redevelop the administration building and, if redevelopment is not viable, demolish the building at the lessee's expense. The proposed amendment requires the lessee to make the decision to redevelop or demolish the administration building within 7 years after signing the lease.

House Amendment "A" to Committee Amendment "A" (H-405) proposed to define affordable housing as having the same meaning as in the Maine Revised Statutes, Title 30-A, section 4301, subsection 1. The amendment also proposed to make the execution of the lease for 90 years contingent upon there being affordable housing in place. This amendment also proposed to correct a punctuation error. This amendment was not adopted.

Enacted Law Summary

Resolve 2003, chapter 53 extends the ground lease term from 50 to 90 years for property leased by the State at the Long Creek Youth Development Center in the City of South Portland. It requires the lessee of the leased property at the Long Creek Youth Development Center to take responsibility for the administration building. The lessee must make every effort to redevelop the administration building. If redevelopment is not viable, the building must

Joint Standing Committee on State and Local Government

be demolished at the lessee's expense. The decision to redevelop or demolish the administration building must be made within 7 years after signing the lease.

LD 1429

An Act To Authorize the Department of Audit To Perform Other Audits and Reviews

PUBLIC 450

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM	H-369 S-246 ROTUNDO

LD 1429 proposed to do the following:

1. Eliminate outdated language referring to county estimates;
2. Change the duties of the Department of Audit by requiring the department to conduct inquiries, management analysis, inspections of operations of state programs or other research; and
3. Clarify that the State Auditor does not perform accounting functions for the State and the type of improper accounting actions that must be reported to the Governor and Legislature by the State Auditor.

Committee Amendment "A" (H-369) proposed to remove language from the bill that authorizes the Department of Audit to conduct inquiries, management analyses and inspections of operations and other research and replaces it with language authorizing the Department of Audit to conduct reviews. The amendment also proposed to add a sunset clause set for January 30, 2006.

Senate Amendment "A" (S-234), which was not adopted, proposed to require the State Auditor to report any significant discrepancy found in the financial records of a state department or agency, within 60 days of the finding, to the joint standing committee of the Legislature that has jurisdiction over that department or agency.

Senate Amendment "B" (S-246) proposed to require the State Auditor to report any significant discrepancy found in the financial records of a state department or agency, within 60 days of the finding, to the joint standing committee of the Legislature that has jurisdiction over that department or agency and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and state and local government matters.

This amendment also proposed to require the State Auditor to meet annually with various joint standing committees of the Legislature for the purpose of presenting certain findings and recommendations included in the most recently completed annual state audit. Under the proposed amendment, the State Auditor would be required to schedule the meetings by September 15th of each year.

Enacted Law Summary

Public Law 2003, chapter 450:

1. Eliminates outdated language referring to county estimates;

Joint Standing Committee on State and Local Government

2. Changes the duties of the Department of Audit by requiring the department to conduct reviews of state programs or other research;
3. Clarifies that the State Auditor does not perform accounting functions for the State and the type of improper accounting actions that must be reported to the Governor and Legislature by the State Auditor. This section is scheduled to be repealed on January 30, 2006;
4. Requires the State Auditor to report any significant discrepancy found in the financial records of a state department or agency, within 60 days of the finding, to the joint standing committee of the Legislature that has jurisdiction over that department or agency and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and state and local government matters; and
5. Requires the State Auditor to meet annually with various joint standing committees of the Legislature for the purpose of presenting certain findings and recommendations included in the most recently completed annual state audit. The State Auditor is required to schedule the meetings by September 15th of each year.

LD 1431

An Act To Update the Requirements of Counties' and Municipalities' Audit Reports

PUBLIC 178

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM	H-211

LD 1431 proposed to replace outdated language regarding the contents and requirements of county and municipal audit reports.

Committee Amendment "A" (H-211) proposed to clarify that counties and municipalities must include in their audit reports, in addition to financial statements, all other information required by governmental accounting and financial reporting standards.

Enacted Law Summary

Public Law 2003, chapter 178 replaces outdated language regarding the contents and requirements of county and municipal audit reports with more current, flexible language that allows for possible future changes in audit reporting requirements.

LD 1443

An Act To Clarify the Duties Relating to County Taxes and Remove Obsolete References to the Secretary of State

PUBLIC 105

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP	

LD 1443 proposed to remove obsolete references to filing county budget estimates with the Secretary of State on forms provided by the Secretary of State. These duties fall within the scope of the State Auditor's responsibilities.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Public Law 2003, chapter 105 removes obsolete references to filing county budget estimates with the Secretary of State on forms provided by the Secretary of State. County budget estimates, which fall within the scope of the State Auditor's responsibilities, must be sent to the State Auditor.

LD 1445	Resolve, Authorizing the Commissioner of Administrative and Financial Services To Enter into a Boundary Line Agreement between the State of Maine Parking Garage at the Corner of Sewall and Capitol Streets and the Parcel East of the Garage Bounded by Chamberlain Street	RESOLVE 32
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<u>Sponsor(s)</u> MCLAUGHLIN	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1445 proposed to authorize the Commissioner of Administrative and Financial Services to resolve an uncertain boundary line between the State's parking garage and the adjacent property at 77 Capitol Street and to receive a right of first refusal to purchase the property.

Enacted Law Summary

Resolve 2003, chapter 32 authorizes the Commissioner of Administrative and Financial Services to resolve an uncertain boundary line between the State's parking garage and the adjacent property at 77 Capitol Street and to receive a right of first refusal to purchase the property.

LD 1446	Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate Located in Ludlow, Maine	ONTP
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<u>Sponsor(s)</u> MCLAUGHLIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1446 proposed to authorize the Commissioner of Administrative and Financial Services to release the State's interest in state property formerly used for school purposes in the Town of Ludlow.

LD 1448	An Act To Clarify the Administration of State-municipal Revenue Sharing	PUBLIC 174
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<u>Sponsor(s)</u> PINEAU	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-205
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LD 1448 proposed to clarify that administrative costs of state-municipal revenue sharing are paid by the Local Government Fund.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-205) proposed to clarify that the postage, state cost allocation program and programming costs of state-municipal revenue sharing may be paid by the Local Government Fund.

Enacted Law Summary

Public Law 2003, chapter 174 clarifies that the postage, state cost allocation program and programming costs of state-municipal revenue sharing may be paid by the Local Government Fund.

LD 1464 **Resolve, Amending the Commissioner of Administrative and Financial Services' Authorization To Convey a Portion of the Kennebec Arsenal in Augusta Pursuant to Resolve 1999, Chapter 56** **RESOLVE 91**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM MAJ	H-502
	ONTP MIN	S-300 CATHCART

LD 1464 proposed to authorize the Commissioner of Administrative and Financial Services to convey approximately 30 acres of the Kennebec Arsenal property, together with improvements, and divert proceeds from the sale of the Maine State Prison in Thomaston to the Maine State Housing Authority's Housing Opportunities for Maine Fund.

Committee Amendment "A" (H-502), which is the majority report, proposed to incorporate a fiscal note.

Senate Amendment "A" (S-300) proposed to remove that section of the bill that directed the proceeds from the sale of the Maine State Prison property in Thomaston to be deposited in the Maine State Housing Authority's Housing Opportunities for Maine Fund.

Enacted Law Summary

Resolve 2003, chapter 91 authorizes the Commissioner of Administrative and Financial Services to convey approximately 30 acres of the Kennebec Arsenal property.

LD 1465 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate Located in Hallowell and To Enter into Lease-purchase Agreements for School Bus Acquisition** **RESOLVE 92**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM MAJ	H-224
TREAT	ONTP MIN	S-311 CATHCART

LD 1465 proposed to authorize the Commissioner of Administrative and Financial Services to sell or lease the State's interests in certain property located in Hallowell.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-224), which is the majority report, proposed to incorporate a fiscal note.

Senate Amendment "A" (S-311) proposed to authorize the Commissioner of Administrative and Financial Services, on behalf of the Department of Education, to enter into lease-purchase contracts or other financing arrangements in fiscal years 2003-04 and 2004-05 for acquisition of school buses. This would be to replace 43 buses that must be removed from service for safety reasons. The amendment proposed that financing may not exceed 7 years in duration and \$2,500,000 in principal costs, and interest rates may not exceed 6%.

Enacted Law Summary

Resolve 2003, chapter 92 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in certain property located in Hallowell. It also authorizes the Commissioner of Administrative and Financial Services, on behalf of the Department of Education, to enter into lease-purchase contracts or other financing arrangements in fiscal years 2003-04 and 2004-05 for acquisition of school buses. Financing may not exceed 7 years in duration and \$2,500,000 in principal costs. Interest rates may not exceed 6%.

LD 1466

An Act To Relocate the Prohibition of Use of State Government Computer Systems for Political Purposes to the Election Laws

PUBLIC 176

Sponsor(s)
MCLAUGHLIN

Committee Report
OTP

Amendments Adopted

LD 1466 proposed to change the statutory location of the prohibition on use of state government computer systems for political purposes from the Maine Revised Statutes, Title 5, chapter 163, which involves the Office of the Chief Information Officer within the Department of Administrative and Financial Services, to Title 21-A, which involves election law.

Enacted Law Summary

Public Law 2003, chapter 176 changes the statutory location of the prohibition on use of state government computer systems for political purposes from the Maine Revised Statutes, Title 5, chapter 163, which involves the Office of the Chief Information Officer within the Department of Administrative and Financial Services, to Title 21-A, which involves election law.

LD 1468

An Act To Amend the Civil Service Law with Respect to Classified Employees Who Accept Appointment to the Unclassified Service

PUBLIC 177

Sponsor(s)
MCLAUGHLIN

Committee Report
OTP

Amendments Adopted

LD 1468 proposed to permit a classified state employee who leaves the classified service to serve in an appointive position to retain promotion, transfer and demotion rights in the civil service for the duration of that employee's appointment in the unclassified service. The proposed bill would not have an impact on unclassified employees who were appointed from outside of State Government. Under the proposed bill, greater incentives would be provided for classified state employees to serve in long-term appointments to the unclassified service.

Joint Standing Committee on State and Local Government

The 12-month restoration right provided to a classified employee in the Maine Revised Statutes, Title 5, section 931, subsection 2, paragraph C would not be affected.

Enacted Law Summary

Public Law 2003, chapter 177 permits a classified state employee who leaves the classified service to serve in an appointive position to retain promotion, transfer and demotion rights in the civil service for the duration of that employee's appointment in the unclassified service. It does not have an impact on unclassified employees who were appointed from outside of State Government. In addition, it provides greater incentives for classified state employees to serve in long-term appointments to the unclassified service. This law has no effect on the 12-month restoration right provided to a classified employee in the Maine Revised Statutes, Title 5, section 931, subsection 2, paragraph C.

LD 1504 **An Act To Clarify the Work Center Purchases Committee Requirements for Work Centers and Competitive Bidding** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN ROTUNDO		

LD 1504 proposes to clarify the Work Center Purchases Committee requirements for work centers and competitive bidding.

LD 1512 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Up to 15 Acres of Land and Other Interests of the State at the Long Creek Youth Development Center, in South Portland** **RESOLVE 90**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN BROMLEY	OTP-AM MAJ ONTP MIN	H-370

LD 1512 proposed to authorize the Commissioner of Administrative and Financial Services to sell up to 15 acres of unimproved land at the Long Creek Youth Development Center in South Portland for affordable or workforce housing.

Committee Amendment "A" (H-370) proposed to require the transfer of the 15 acres of land and other interests of the State at the Long Creek Youth Development Center in South Portland to be subject to local zoning ordinances.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Resolve 2003, chapter 90 authorizes the Commissioner of Administrative and Financial Services to sell up to 15 acres of unimproved land at the Long Creek Youth Development Center in South Portland for affordable or workforce housing.

LD 1528

An Act To Permit Electronic Notification of Rulemaking for Interested Parties

**PUBLIC 207
EMERGENCY**

Sponsor(s)
MCLAUGHLIN
ROTUNDO

Committee Report
OTP

Amendments Adopted

LD 1528 proposed to permit required rule-making notice to be given to recipients via electronic mail, so long as those recipients have agreed in advance that such a manner of notice is acceptable. Under the bill, it would be permissible to distribute copies of proposed rules in the same manner by agencies. As a result, the bill would provide agencies with another medium by which to distribute rule-making information and conserves paper resources.

Under current law, the written notice required in the agency rule-making process must be made by delivery or mail to statutorily specified recipients.

Enacted Law Summary

Public Law 2003, chapter 207 permits required notice to be given to recipients via electronic mail, provided that those recipients have agreed in advance that such a manner of notice is acceptable. It also permits copies of proposed rules to be distributed in the same manner by agencies. As a result, agencies are provided with another medium by which to distribute rule-making information that also conserves paper resources. Prior to passage of this law, the written notice required in the agency rule-making process was required to be made by delivery or mail to statutorily specified recipients.

Public Law 2003, chapter 207 was enacted as an emergency measure effective May 16, 2003.

LD 1541

Resolve, Conveying The State's Interest in a Parcel of Property Located in Orrington

RESOLVE 59

Sponsor(s)
ROSEN

Committee Report
OTP-AM

Amendments Adopted
H-431

LD 1541 proposed to authorize the conveyance of certain property on the Johnson Mill Road in Orrington by the Director of the Bureau of Parks and Lands within the Department of Conservation to Mrs. Lillian King.

Committee Amendment "A" (H-431) proposed to incorporate a fiscal note.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Resolve 2003, chapter 59 authorizes the conveyance of certain property on the Johnson Mill Road in Orrington by the Director of the Bureau of Parks and Lands within the Department of Conservation to Mrs. Lillian King.

LD 1550 **Resolve, Authorizing the Transfer of Land from the State to Maine School Administrative District No. 16** **RESOLVE 51**

<u>Sponsor(s)</u> COWGER TREAT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-388
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LD 1550 proposed to authorize the transfer of state-owned property, commonly known as "community gardens," located on Winthrop Street in Hallowell, to Maine School Administrative District No. 16.

Committee Amendment "A" (H-388) proposed to require that if the State transfers the property known as the "community gardens" located in Hallowell to Maine School Administrative District No. 16, it must sell or lease that property. The amendment proposed to allow the State to transfer all or part of that property to School Administrative District No. 16. The amendment also proposed to authorize the State to enter into a 3-year option agreement with the board of directors of Maine School Administrative District No. 16 to sell or lease that property.

Enacted Law Summary

Resolve 2003, chapter 51 authorizes the transfer of state-owned property, commonly known as "community gardens," located on Winthrop Street in Hallowell, to Maine School Administrative District No. 16. It requires that if the State transfers the property known as the "community gardens" located in Hallowell to Maine School Administrative District No. 16, it must sell or lease that property at fair market value. The State is permitted to transfer all or part of that property to School Administrative District No. 16. It also authorizes the State to enter into a 3-year option agreement with the board of directors of Maine School Administrative District No. 16 to sell or lease that property.

LD 1555 **An Act To Reapportion the House Legislative Districts** **PUBLIC 44**

<u>Sponsor(s)</u> DUNLAP	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1555 proposed to repeal the current statutory Maine House of Representatives districts and enact the districts for the Maine House of Representatives as described in the unanimous report submitted by the apportionment commission to the Clerk of the House.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Public Law 2003, chapter 44 repeals the current statutory Maine House of Representatives districts and enacts the districts for the Maine House of Representatives as described in the unanimous report submitted by the apportionment commission to the Clerk of the House.

LD 1556 **An Act To Reapportion the Districts for Representatives to the United States Congress** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1556 proposed to repeal the current statutory congressional districts and enact the districts to the United States Congress as described in the report submitted by a majority of the apportionment commission to the Clerk of the House.

House Amendment "A" (H-108) proposed to repeal the current statutory congressional districts and enact the districts to the United States Congress as described in the report submitted by a minority of the apportionment commission to the Clerk of the House.

Senate Amendment "A" (S-38), which is the same as House Amendment "A", proposed to repeal the current statutory congressional districts and enact the districts to the United States Congress as described in the report submitted by a minority of the apportionment commission to the Clerk of the House.

Senate Amendment "B" (S-47) proposed to specify that it is only the nonseverability provision and the internally inconsistent deadline in the statutes governing reapportionment that are being "notwithstanding"; all of the other requirements remain applicable.

None of the amendments were adopted.

LD 1557 **An Act To Reapportion the County Commissioner Districts** **PUBLIC 43**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1557 proposed to repeal the current statutory county commissioner districts and enact the districts for the county commissioners as described in the unanimous report submitted by the apportionment commission to the Clerk of the House.

Enacted Law Summary

Public Law 2003, chapter 43 repeals the current statutory county commissioner districts and enacts the districts for the county commissioners as described in the unanimous report submitted by the apportionment commission to the Clerk of the House.

Joint Standing Committee on State and Local Government

LD 1561

An Act To Clarify the InforME Public Information Access Act

PUBLIC 406

Sponsor(s)
DAGGETT

Committee Report
OTP-AM

Amendments Adopted
S-172

LD 1561 proposed to clarify various definitions to accurately represent the electronic services provided by InforME and the services available to those who pay the subscriber fee. Under the proposed bill, the manner in which funds are collected and distributed by InforME to data custodians or agencies would be clarified.

Committee Amendment "A" (S-172) proposed to require that InforME follow certain requirements regarding the depositing of state funds.

Enacted Law Summary

Public Law 2003, chapter 406 clarifies various definitions to accurately represent the electronic services provided by InforME and the services available to those who pay the subscriber fee. It also clarifies the manner in which funds are collected and distributed by InforME to data custodians or agencies. In addition, InforME must follow certain requirements regarding the depositing of state funds as established by the Treasurer of State.

LD 1609

An Act To Codify the County Commissioner Districts as Apportioned by Public Law 2003, Chapter 43

PUBLIC 291

Sponsor(s)

Committee Report

Amendments Adopted

LD 1609 proposed to carry out the legislative intent of Public Law 2003, chapter 43 by specifying, per United States Census designations, those areas that are located in each county commissioner district as reapportioned by the apportionment commission and submitted to the Clerk of the House April 3, 2003.

Enacted Law Summary

Public Law 2003, chapter 291 carries out the legislative intent of Public Law 2003, chapter 43 by specifying, per United States Census designations, those areas that are located in each county commissioner district as reapportioned by the apportionment commission and submitted to the Clerk of the House April 3, 2003.

LD 1610

An Act To Codify the House Legislative Districts As Apportioned by Public Law 2003, chapter 44

PUBLIC 289

Sponsor(s)

Committee Report

Amendments Adopted

Joint Standing Committee on State and Local Government

LD 1610 proposed to carry out the intent of Public Law 2003, chapter 44, which provides for the apportionment of the legislative districts for the Maine House of Representatives. This bill proposed to establish the legislative districts based upon reference to United States Census civil divisions designations.

Enacted Law Summary

Public Law 2003, chapter 289 carries out the intent of Public Law 2003, chapter 44, which provides for the apportionment of the legislative districts for the Maine House of Representatives. It establishes the legislative districts based upon reference to United States Census civil divisions designations.

LD 1615 An Act To Validate Certain Proceedings Authorizing the Issuance P & S 20
of Bonds and Notes by School Administrative District No. 71 EMERGENCY

<u>Sponsor(s)</u> MURPHY		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1615 proposed to validate a school construction referendum conducted by School Administrative District No. 71 on October 1, 2002 and to authorize the district to enter into contracts and issue bonds or notes of the district for the project. The validation is necessary because copies of the warrants that were delivered to the towns and posted were not attested. Validation of the referendum would eliminate a legal technicality that could affect the marketability of the bonds or notes to be issued by the district for the project.

This bill was enacted without reference to committee.

Enacted Law Summary

Private & Special Law, chapter 20 validates a school construction referendum conducted by Maine School Administrative District No. 71 on October 1, 2002 and authorizes the district to enter into contracts and issue bonds or notes of the district for the project. The validation is necessary because copies of the warrants that were delivered to the towns and posted were not attested. Validation of the referendum will eliminate a legal technicality that could affect the marketability of the bonds or notes to be issued by the district for the project.

Private & Special Law, chapter 20 was enacted as an emergency measure effective May 19, 2003.

LD 1624 An Act To Authorize the Deorganization of the Town of Centerville P & S 32

<u>Sponsor(s)</u> BUNKER SHOREY		<u>Committee Report</u>		<u>Amendments Adopted</u> H-540 BRANNIGAN
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LD 1624 proposed to authorize the deorganization of the Town of Centerville if, in accordance with the Maine Revised Statutes, Title 30-A, section 7207, a majority of the voters in the town approve the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the deorganization is approved by the voters of the town at the next statewide election to be held in November.

House Amendment "A" (H-540) proposed to incorporate a fiscal note.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Private and Special Law 2003, chapter 32 authorizes the deorganization of the Town of Centerville if, in accordance with the Maine Revised Statutes, Title 30-A, section 7207, a majority of the voters in the town approve the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the deorganization is approved by the voters of the town at the next statewide election to be held in November.

HP 726	JOINT STUDY ORDER – To Establish the Task Force To Study the Functional Efficiencies in the Legislative Process	REFERRED TO RULES COMMITTEE
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<u>Sponsor(s)</u> SHIELDS	<u>Committee Report</u>	<u>Amendments Adopted</u>
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HP 726 is a Joint Study Order to Establish the Task Force To Study the Functional Efficiencies in the Legislative Process. This Joint Order proposes to establish a Legislative Study Committee to assess and identify inefficiencies and redundancies in the legislative process and determine solutions to correct inefficiencies in the legislative process. This joint order was referred to the Rules Committee and final disposition of this joint order is awaiting recommendation from that Committee.

